

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2004-012550

07/19/2005

HONORABLE ROBERT C. HOUSER

CLERK OF THE COURT
D. McGraw
Deputy

IN RE THE MARRIAGE OF
STACY LUXTON

FILED: 07/26/2005

DEEAN GILLESPIE

AND

TODD LUXTON

ANGELA HALLIER

HEARING SET

10:30 a.m. (Courtroom 606) This is the time set for Oral Argument on Respondent's Objection to Notice of Lodging Decree Pursuant to Rule 80(d). Petitioner/Mother is present and is represented by counsel, DeeAn Gillespie. Respondent/Father is present and is represented by counsel, Angela Hallier.

A recording of this proceeding is made by CD recording utilizing "For The Record" (FTR) in lieu of a court reporter.

Counsel present oral arguments to the Court.

Based on the record before the Court,

THE COURT FINDS that Rule 80(d) has been satisfied and that the parties' agreement is binding.

IT IS ORDERED setting an Evidentiary Hearing to evaluate the fairness of the agreement in accordance with Sharp v. Sharp on **October 5, 2005, at 2:00 p.m. (time allotted: 3 hours)** in this Division.

IT IS FURTHER ORDERED that both parties shall be present at the aforesaid date and time. Except for good cause shown, failure of either party to appear physically may result in the imposition of any or all available sanctions authorized by Rule 6.2, Local Rules of Superior Court, Maricopa County, including hearing this matter as a default.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2004-012550

07/19/2005

IT IS FURTHER ORDERED:

1. The parties shall exchange lists of witnesses, disclosure of the testimony of each witness and exhibits thirty (30) days prior to the hearing. At this meeting, the parties and counsel, if any, shall use their best efforts to resolve the issues raised in the petition or motion scheduled for hearing. Absent good cause, exhibits not exchanged will not be admitted, witnesses not listed will not testify, and testimony not disclosed will not be admitted.

2. All discovery shall be completed no later than fifteen (15) days prior to the hearing.

3. The parties shall exchange with each other and file with the Court the following documents five (5) days prior to the Evidentiary Hearing:

- a. A Joint Pre-hearing Statement required by Rule 6.8(b), Local Rules of Superior Court, Maricopa County.
- b. An Affidavit of Financial Information, if an affidavit has not been filed within the past six (6) months that is substantially accurate at the time of the hearing.
- c. If either party believes child support is an issue, a Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.
- d. Any written objections to the admission into evidence of exhibits listed and exchanged by an opposing party. Failure to file written objections shall be deemed a waiver of the right to object at the hearing, unless the basis for the objection was not known or could not reasonably have been known by counsel or the party making the objection.
- e. If spousal maintenance is requested, the party requesting spousal maintenance shall prepare a document listing the amount of spousal maintenance requested, the need for spousal maintenance, including a list of monthly expenses, and the factors under A.R.S. § 25-319 justifying the amount of spousal maintenance. The document shall be provided to the other party no later than five (5) days prior to the date set for hearing.
- f. If division of debts is at issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred and who should pay the debt.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2004-012550

07/19/2005

- g. If there are disputed custody or visitation issues, a proposal for custody and visitation;
- h. A proposed disposition of each issue before the court;
- i. If there are disputed division of property issues, a current and detailed inventory and monetary valuation of the property and assets of the parties.

IT IS FURTHER ORDERED that the parties shall meet at least one week before the aforesaid hearing and attempt to resolve the issues.

IT IS FURTHER ORDERED the parties shall deliver any exhibits and an exhibit inventory to the clerk of this division, and not placed in the division mailbox, for marking **no later than three Court business days prior to hearing**, not including weekends, holidays or the day of the proceeding. All exhibits presented shall have been exchanged between the parties. Duplicate exhibits shall not be presented.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

10:53 a.m. Hearing concludes.

/ s / HONORABLE ROBERT C. HOUSER

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.